

**BOULT
CUMMINGS
CONNERS
& BERRY**

PLC

REC'D TN
REGULATORY AUTH.

LAW OFFICES

414 UNION STREET, SUITE 1600
POST OFFICE BOX 198062
NASHVILLE, TENNESSEE 37219

JAN 24 PM 2 26

TELEPHONE (615) 244-2582

FACSIMILE (615) 252-2380

INTERNET WEB <http://www.bccb.com/>

Henry Walker
(615) 252-2363
Fax: (615) 252-6363
Email: hwalker@bccb.com

January 24, 2001

OFFICE OF THE
EXECUTIVE SECRETARY

David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37219

IN RE: *Universal Service for Rural Areas --- The Generic Docket*
Docket No. 00-00523

Dear David:

Please accept for filing the original and thirteen copies of the Response of the Southeastern Competitive Carriers Association to BellSouth Telecommunications, Inc.'s Appeal in the above-captioned proceeding. Copies have been forwarded to parties of record.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:

Henry Walker by WLM w/permission
Henry Walker

HW/nl
Attachment

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE: *Universal Service for Rural Areas --- The Generic Docket*
 Docket No. 00-00523

**SOUTHEASTERN COMPETITIVE CARRIERS ASSOCIATION'S RESPONSE TO
BELLSOUTH TELECOMMUNICATIONS, INC.'S APPEAL**

The Southeastern Competitive Carriers Association ("SECCA") files this response to the Petition for Appeal filed by BellSouth Telecommunications, Inc. ("BellSouth") in the above-captioned proceeding.

BellSouth challenges the Initial Order of the Hearing Officer, issued December 29, 2000, holding that the Authority has jurisdiction over the intraLATA toll arrangements among BellSouth and independent local exchange carriers.

The Hearing Officer cites several statutes which give the Authority jurisdiction over these arrangements through which the carriers exchange intraLATA toll traffic and share toll revenue. The most explicit such statute, T.C.A. § 65-4-124(a), states "All telecommunications service providers shall provide non-discriminatory interconnection to their public network under reasonable terms and conditions." The Authority is directed to "promulgate rules and issue such orders" as necessary to implement that requirement.

Since the settlement contracts dictate the terms and conditions under which the parties interconnect, the statute cited above gives the Authority both the right and the duty to insure that such arrangements are "non-discriminatory" and "reasonable."

The appeal filed by BellSouth, which makes no mention of Section 124(a), is frivolous and merits no more than this short reply. There is no doubt of the TRA's jurisdiction over the terms and conditions of interconnection among local exchange carriers.

Respectfully submitted,

By: Henry Walker by WLM w/permission
Henry Walker
Boult, Cummings, Conners & Berry, PLC
414 Union Street, Suite 1600
P. O. Box 198062
Nashville, Tennessee 37219
(615) 252-2363

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, to the following on this the 24th day of January, 2001.

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
333 Commerce St., Suite 2101
Nashville, TN 37201-3300

J. Phillip Carver, Esq.
BellSouth Telecommunications, Inc.
675 W. Peachtree St., NE #4300
Atlanta, GA 30375

Mr. David Espinoza
Millington Telephone Company
4880 Navy Road
Millington, TN 38053

Jon Hastings, Esq.
Boult, Cummings, Conners & Berry PLC
414 Union Street, Suite 1600
Nashville, TN 37219

Charles B. Welch, Esq.
Farris, Mathews, et al.
205 Capitol Blvd., # 303
Nashville, TN 37219

Richard Tettlebaum, Esq.
Citizens Telecommunications
6905 Rockledge Dr., #600
Bethesda, MD 20817

James B. Wright, Esq.
United Telephone-Southeast
14111 Capital Blvd.
Wake Forest, NC 27587-5900

James P. Lamoureaux, Esq.
AT&T Communications
Room 4068
1200 Peachtree St., NE
Atlanta, GA 30309

Paul G. Summers, Esq.
Attorney General & Reporter
Consumer Advocate & Protection Division
425 5th Ave., N., 2nd Floor
Nashville, TN 37243

Guilford F. Thornton, Jr.
Stokes & Bartholomew, P.A.
424 Church Street
27th Floor
Nashville, TN 37219

